

REMARKS/ARGUMENTS

Status Of Application

Claims 1-41 are pending in the application; the status of the claims is as follows:

Claims 1-9 are withdrawn from consideration.

Claims 16-38 are allowed.

Claims 10 and 39 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,466,263 B1 to Suzuki (“Suzuki”).

Claims 11 and 40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki.

Claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of U.S. Patent No. 5,734,427 to Hayashi (“Hayashi”).

Claims 12-14 and 41 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki in view of U.S. Patent No. 5,990,949 to Haruki (“Haruki”).

Claims 42 and 43 have been added with no new matter added.

Claim Amendments

Claims 10 and 39 have been amended and new claims 42 and 43 have been added. These changes do not introduce any new matter.

35 U.S.C. § 102(e) Rejection

It is axiomatic that a reference anticipates a claim only if the reference discloses each and every element of the claim. The rejection of claims 10 and 39 under 35 U.S.C.

§102(e) as being anticipated by Suzuki, is respectfully traversed because Suzuki fails to disclose each and every element of the subject claims.

Claims 10 and 39 are directed to a camera in which image data is processed differently depending on whether the image data is for preview purposes or is to be recorded. During preview, e.g., when the camera's shutter button is half-pressed, image processing is optimized for rapidly displaying an accurate image to the camera's display, e.g., an LCD screen. This processing includes interpolating the image data to obtain data suitable in size, color, brightness, etc. for accurate reproduction on the display. However, during image capture, e.g., when the shutter button is fully depressed, the image data processing needs are different, and the image data is interpolated differently.

These aspects of the invention are present in claim 10, for example, which recites:

“an interpolating portion for executing interpolation of pixels constituting image data, the interpolating portion executing a first interpolation when displaying by the display unit, while executing a second interpolation different from the first interpolation when recording by the recorder, both the first and second interpolation being processes for interpolating unknown pixels from the pixels of the image data.”

The language of the claim clearly requires that the interpolating portion performs one type of interpolation on data from the imaging device when the image is to be displayed by the display unit, e.g., during preview, but performs a second type of interpolation on data from the imaging device when recording the image, e.g., during image capture. Furthermore, the claim requires that the interpolation determines values of unknown pixels based on the pixels of the image data.

In contrast, Suzuki discloses a camera that captures image data with a CCD, processes the image data, and then records the processed image to an IC memory card. The apparatus includes a mode switch, that puts the camera in a PC mode or a camera mode. See column 5, lines 4-19.

A PC monitor typically has more lines of resolution and a different aspect ratio than an NTSC monitor. The Suzuki device “interpolates” image data when recording data for display on a PC by inserting data corresponding to one extra line of image data for every five lines. The extra data lines cause the image to be distorted when playing back image data for display on an NTSC monitor. Suzuki discloses this is corrected by performing an “inverse interpolation,” that is by omitting the inserted lines, when displaying the image data on an NTSC monitor. See column 5, lines 60-66. It is respectfully submitted that the inverse interpolation disclosed by Suzuki removes known pixel data from a recorded PC formatted image. Accordingly, Suzuki does not disclose first and second interpolation processes “for interpolating unknown pixels from the pixels of the image data.”

With regard to claim 39, the language of the claim analogously requires a method that performs “a varied interpolating process depending on whether the captured image is to be displayed or recorded.” Specifically, “a first interpolating process is executed when displaying,” and “a second interpolating process different from the first interpolating process is executed when recording,” wherein, “the first and second interpolation [are] processes for interpolating unknown pixels from the pixels of the image data.” It is respectfully submitted that Suzuki fails to disclose the claimed method.

Accordingly, it is respectfully requested that the rejection of claims 10 and 39 under 35 U.S.C. §102(e) as being anticipated by Suzuki, be reconsidered and withdrawn.

35 U.S.C. §103(a) Rejections

The rejection of claims 11-15, 40, and 41 under 35 U.S.C. §103(a), as being unpatentable over Suzuki, either alone or in view of Hayashi or Haruki, is respectfully traversed because the references fail to disclose, teach, or suggest all elements of the claims in question. Specifically, Suzuki fails to suggest a device or method in which a first interpolation is performed when displaying the image data and a second, different, interpolation is performed when recording the image data, wherein the interpolations

interpolate unknown pixel data from the pixels of the image data. The other references also fail to provide the requisite teaching. Accordingly, it is respectfully requested that the rejection of claims 11-15, 40, 41 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, but does increase the total number of claims by 2 from 41 to 43, and does not present any multiple dependency claims. Accordingly, a Response Transmittal and Fee Authorization form authorizing the amount of \$36.00 to be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260 is enclosed herewith in duplicate. However, if the Response Transmittal and Fee Authorization form is missing, insufficient, or otherwise inadequate, or if a fee, other than the issue fee, is required during the pendency of this application, please charge such fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

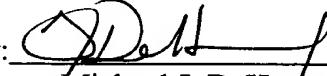
Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Application No.: 09/_____,799
Amendment dated April 30, 2004
Reply to Office Action of December 4, 2003

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By: 
Michael J. DeHaemer
Reg. No. 39,164
Attorney for Applicant

MJD/lb:jk:k:rb
SIDLEY AUSTIN BROWN & WOOD LLP
717 N. Harwood, Suite 3400
Dallas, Texas 75201
Direct: (214) 981-3335
Main: (214) 981-3300
Facsimile: (214) 981-3400
April 30, 2004

DA1 293555v3